

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

FRIDAY, THE NINTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 18467 of 1994

Between:

Adiraju Annapurna, D/o. Late Ranga Rao.
14-2, LIGH Quarters, Cheruvu Bazar,
Khammam.

..... PETITIONER

AND

- 1 The Govt. of A.P., Rep. by its Secretary.
Panchayat Raj and Rural Department, Hyderabad.
- 2 The Govt. of A.P., Rep. by its Secretary.
Education Dept., Hyderabad.
- 3 Dist. Development Officer, Z.P.P.,
Khammam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly in the nature of writ of mandamus declaring the G.O.Ms.No.221 Education dept., dated 16/07/1994 as unconstitutional and illegal and further direct the respondents to appoint the petitioner as Teacher in the existing Vacancies in the A.P. State Controlled Bodies along with the petitioners covered by the order of this Hon'ble Court in WPMP.No.17958/94 etc., in W.P.Nos. 17104/1994 and batch dated 08/09/1994 after declaring that Article 323-A C1.2 (d) of the Constitution as unconstitutional and section 28 of the A.P. Administrative Tribunal Act, 85 as unconstitutional for violating the basic structure.

Counsel for the Petitioner : Sri A.Ravi Shankar

**Counsel for the Respondent Nos.1 to 3 : G.P. for Panchayat Raj
and Rural Development**

The Court made the following :

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ORDER :-

It is represented by the learned counsel for the petitioner as well as the learned Government Pleader for Panchayat Raj that this Writ Petition is not maintainable, in view of the Judgment of the Supreme Court in ***L.CHANDRAKUMAR Vs. UNION OF INDIA*** and the remedy of the petitioner is to approach the Andhra Pradesh Administrative Tribunal.

In the circumstances, this Writ Petition is dismissed, giving liberty to the petitioner to approach the Andhra Pradesh Administrative Tribunal and seek redress of his grievance, if the petitioner is so advised and so chooses. No costs.

09-07-2004

prv

To

- 1 The Secretary, Govt. of A.P.,
Panchayat Raj and Rural Dept., Hyderabad.
 - 2 The Secretary, Govt. of A.P.,
Education Dept., Hyderabad.
 - 3 The District Development Officer, Z.P.P.,
Khammam.
- 4 2 CCs to G.P. for Panchayat Raj and Rural Development (O.U.T).
- 5 2CD copies